

# **EXHIBIT A**



**SHAW-WALKER BROTHERS, INC.**  
980 Ave of Americas New York  
Tel. (212) 686-2331

Pattern No.	1065 B & H
Width	42 1/2"
Price	
Composition	100N



# **EXHIBIT B**

# Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

COPY

*Marybeth Peters*

Register of Copyrights, United States of America

Registration Number:

VA 1-626-237

Effective date of  
registration:

September 17, 2007

Title

Title of Work: 1065

Nature of Work: DESIGN IN LACE

Completion/ Publication

Year of Completion: 2001

Date of 1st Publication: January 14, 2002

Author

Author: KLAUBER BROTHERS, INC

Author Created: 2-Dimensional artwork

Work made for hire: Yes

Citizen of: United States

Anonymous: Yes

Pseudonymous: No

Copyright claimant

Copyright Claimant: KLAUBER BROTHERS, INC

980 AVE OF THE AMERICAS, 2ND FLOOR, NEW YORK, NY, 10018

Limitation of copyright claim

Material excluded from this claim: Previous existing lace and floral design

Previously registered: No

New material included in claim: Additional artistic work

Certification

Name: MARK KLAUBER

Date: September 11, 2007



**IPN#:**

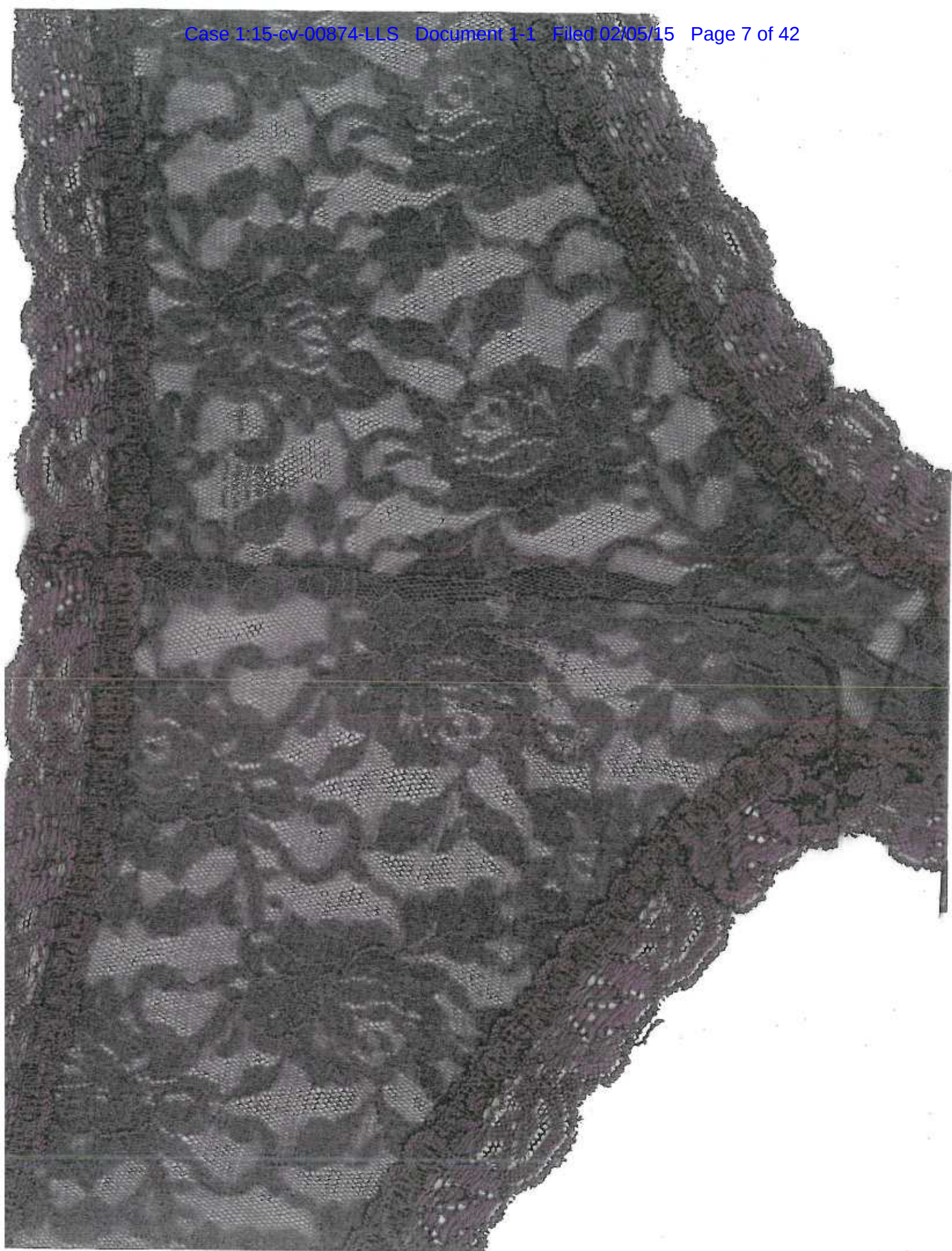
**Registration #:** VA0001626237

**Service Request #:** 1-15440468

KLAUBER BROTHERS, INC  
ATTN: MARK KLAUBER  
980 AVE OF THE AMERICAS, 2ND FLOOR  
NEW YORK, NY 10018

# **EXHIBIT C**





# **EXHIBIT D**







# **EXHIBIT E**



**KLAUBER BROTHERS, INC.**

Tel. (212) 686-2531

Pattern No.

7087

Width

Price

Composition

# **EXHIBIT F**



**COPYRIGHT**  
**KLAUBER BROTHERS, INC.**

Tel. (212) 686-2531

Pattern No. **7088** R

Width **5-1/2"**

Price

Composition

**69N 8R 23SP**





# **EXHIBIT G**



**COPYRIGHT**  
**KLAUBER BROTHERS, INC.**

Tel. (212) 686-2531

Pattern No. **7089**

**52**

Width **52/54"**

Price

Composition

**82N 18SP**



# **EXHIBIT H**



## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America



**Form CA**

For Supplementary Registration  
UNITED STATES COPYRIGHT OFFICE

**VA 1-431-512**



TX | TXU | PA | PAL | VA | YAU | SR | SRU | RE

EFFECTIVE DATE OF SUPPLEMENTARY REGISTRATION

*July 16 2009*

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

Title of Work ▼

**7088**

Registration Number of the Basic Registration ▼

**VA 479 838**

Year of Basic Registration ▼

**1991**

Name(s) of Author(s) ▼

**Klauber Brothers, Inc.**

Name(s) of Copyright Claimant(s) ▼

**Klauber Brothers, Inc.**

Location and Nature of Incorrect Information in Basic Registration ▼

Line Number **2a, b, and 4** Line Heading or Description

Incorrect Information as It Appears in Basic Registration ▼

**Line 2a Klauber Brothers, Inc. listed as sole author; Line 2b Blank; Line 4 Transfer Blank**

Corrected Information ▼

**2a Klauber Brothers, Inc. co-author of design; 2b Classic Lace Designs Ltd., a UK corporation, contribution a work for hire anonymous not pseudonymous co-author of design**

Explanation of Correction ▼

Location and Nature of Information in Basic Registration to be Amplified ▼

Line Number Line Heading or Description

Amplified Information and Explanation of Information ▼

MORE ON BACK ►

• Complete all applicable spaces (D-G) on the reverse side of this page.  
• See detailed instructions. • Sign the form at Space F.

DO NOT WRITE HERE  
Page 1 of 2 pages

FORM CA RECEIVED

FORM CA

FUNDS RECEIVED DATE 7/16/09EXAMINED BY [Signature]CORRESPONDENCE ☐REFERENCE TO THIS REGISTRATION ADDED TO  
BASIC REGISTRATION ☒ YES ☐ NOFOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

Continuation of ☒ Part B or ☐ Part C

## Transfer by Assignment from Author 2b

Correspondence: Give name and address to which correspondence about this application should be sent.

Philip H. Gottfried, Esq.  
Amster, Rothstein & Ebenstein LLP  
90 Park Avenue, 21st Floor  
New York, New York 10016

Phone (212 ) 336-8000

Fax (212 ) 336-8001

Email ptodocket@arelaw.com

Deposit Account: If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name \_\_\_\_\_

Account Number \_\_\_\_\_

Certification: I, the undersigned, hereby certify that I am the: (Check only one)

☐ author☐ owner of exclusive right(s)☐ other copyright claimant☒ duly authorized agent of Klauber Brothers, Inc.Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name ▼

Philip H. Gottfried, Esq.

Date ▼

July 8, 2009

Handwritten signature (X) ▼

Philip H. GottfriedCertificate  
will be  
mailed in  
window  
envelope  
to this  
address:

Name ▼	<u>Philip H. Gottfried, Esq.</u>
	<u>Amster, Rothstein &amp; Ebenstein LLP</u>
Number/Street/Apt. ▼	<u>90 Park Avenue, 21st Floor</u>
City/State/ZIP ▼	<u>New York, NY 10016</u>

ADDITIONAL  
• Complete all necessary spaces  
• Sign your application in Boxes F  
• Submit your application in the same envelope

1. Application form  
2. Non-refundable filing fee in check or money order payable to Registrar of Copyrights

AMERICAN  
Library of Congress  
Copyright Office  
101 Independence Avenue SE  
Washington, DC 20540-8000

\*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 406, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.



# **EXHIBIT I**

# CERTIFICATE OF COPYRIGHT REGISTRATION

Case 1:15-cv-00874-LLS Document 1-1 Filed 02/05/15 Page 20 of 42



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

**COPY FORM VA**  
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

VA 479 837

EFFECTIVE DATE OF REGISTRATION

REGISTER OF COPYRIGHTS  
United States of America

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

Design 7089

NATURE OF THIS WORK See instructions

Design in lace

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume

Number

Issue Date

On Pages

NAME OF AUTHOR

Klauber Brothers Inc.

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
☒ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country U.S.A.  
OR Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous? ☐ Yes ☒ No  
Pseudonymous? ☐ Yes ☒ No  
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Design Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No  
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No  
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

1991

This information must be given in all cases.

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK  
Complete this information ONLY if this work has been published. Month August Year 1991

U.S.A.

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2

Klauber Brothers Inc.  
114 East 32nd Street  
New York, NY 10016

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

DO NOT WRITE HERE OFFICE USE ONLY

APPLICATION RECEIVED

NOV 19 1991

ONE DEPOSIT RECEIVED

NOV 19 1991

TWO DEPOSITS RECEIVED

TRANSMISSION NUMBER AND DATE

MORE ON BACK

- Complete all applicable spaces (numbers 5-9) on the reverse side of this page
- See detailed instructions
- Sign the form at line 8

DO NOT WRITE HERE

Page 2 of 2



EXAMINED BY

CHECKED BY

☐ COPYRIGHTED WORK  
Yes

 FORM VA  
FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?  
☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

☐ This is the first published edition of a work previously registered in unpublished form

☐ This is the first application submitted by this author as copyright claimant

☐ This is a changed version of the work, as shown by space 6 on this application

If your answer is "Yes," give Previous Registration Number ▼

Year of Registration ▼

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a & 6b for a derivative work, complete only 6b for a compilation

 a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates ▼

 b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed ▼

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account  
 Name ▼ Account Number ▼

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent Name Address Apt City/State Zip ▼

HELFAT AND HELFAT

100 Maiden Lane

New York, NY 10038

Area Code &amp; Telephone Number ▼

(212) 504-6060

**CERTIFICATION** I, the undersigned, hereby certify that I am the

Check only one ▼

☐ author

☐ other copyright claimant

☐ owner of exclusive right(s)

☒ authorized agent of Klauber Brothers Inc.  
 Name of author or other copyright claimant, or owner of exclusive right(s) ▼

 If the work identified in this application and that the statements made  
 by me in this application are correct to the best of my knowledge

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Roger Klauber

date ▼

11/8/91

Handwritten signature (X) ▼

Name ▼

KLAUBER BROTHERS INC.

Number/Street Apartment Number ▼

City/State/Zip ▼ 114 East 32nd Street

New York, NY 10016

## YOU MUST:

1. Complete this form
2. Send original \$10 filing fee in check or money order payable to Copyright Office
3. Deposit 3 copies of work

## MAIL TO:

 Copyright Office  
 Library of Congress  
 Washington, DC 20540
MAIL  
CERTIFICATE TO
 Certificate  
 will be  
 mailed in  
 window  
 envelope

# **EXHIBIT J**



**\*-APPLICATION-\***

**Title** \_\_\_\_\_

Title of Work: Pattern 7087

**Completion/Publication** \_\_\_\_\_

Year of Completion: 1991

Date of 1st Publication: November 22, 1991

Nation of 1st Publication: United States

**Author** \_\_\_\_\_

■ Author: Klauber Brothers, Inc.

Author Created: 2-D artwork

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Anonymous: Yes

■ Author: Classic Lace Designs Ltd.

Author Created: 2-D artwork

Work made for hire: Yes

Citizen of: United Kingdom

Domiciled in: United Kingdom

Anonymous: Yes

**Copyright claimant** \_\_\_\_\_

Copyright Claimant: Klauber Brothers, Inc.

980 6th Avenue, 2nd Floor, New York, NY, 10018, United States

**Limitation of copyright claim** \_\_\_\_\_

Material excluded from this claim: artistic work included in Pattern 7088 (of VA 479 838)

Previous registration and year: VA 479 838 1991

New material included in claim: 2-D artwork

**Certification** \_\_\_\_\_

**Name:** Philip H. Gottfried

**Date:** April 27, 2012

**Applicant's Tracking Number:** 46628/86

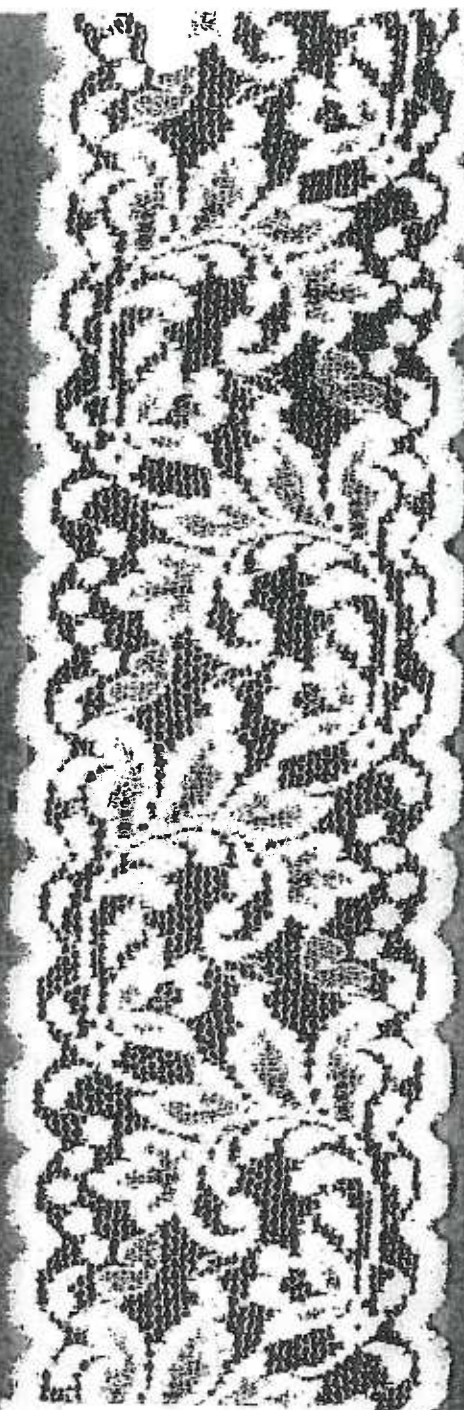
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**KLAUBER BROTHERS, INC.**

Tel. (212) 686-2531

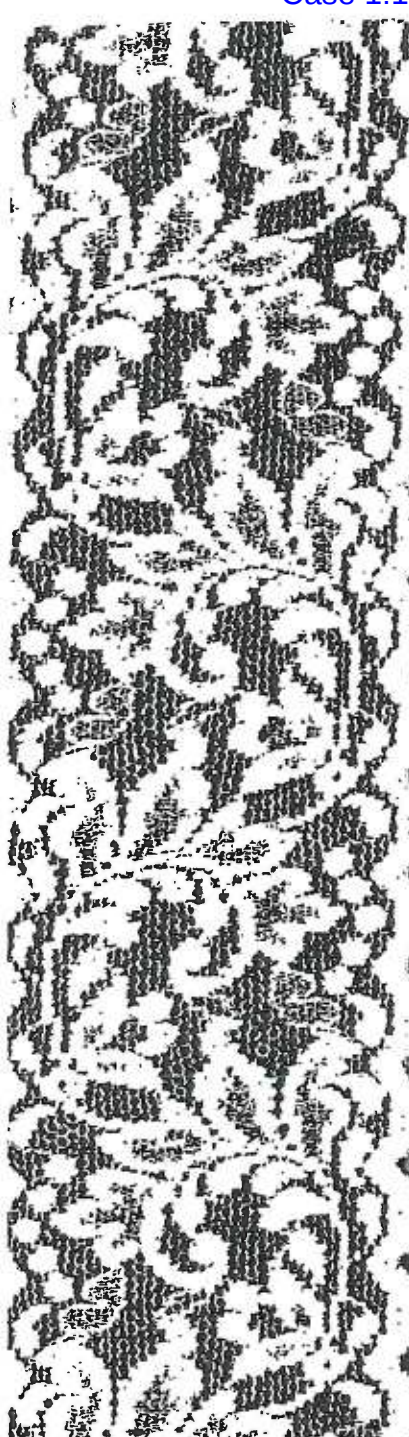
Pattern No.	7087
Width	
Price	
Composition	



MADE IN U.S.A.

WESTCOTT & LUTHER RULER





**KLAMMER BROTHERS, INC.**

Tel. (212) 686-2531

Pattern No. 7087

Width           

Price           

Composition           

**KLAIBER BROTHERS, INC.**

Tel. (212) 686-2531

Pattern No. 7088-280

Width           

Price           

Composition



# **EXHIBIT K**

Nitza Jones

46628/86

From: Copyright Office <cop-ad@loc.gov>  
Sent: Friday, May 11, 2012 2:24 PM  
To: ptodocket  
Cc: wkin@loc.gov  
Subject: 1-758412372 Pattern 7087

Dear Philip Gottfried, Esq.:

I have compared the above work to the copy of the previously registered work that you supplied, and I can't tell the difference. It seems to be the same work, only smaller. We do not register changes in size or format of a previously registered work. If only the size had changed, the copyrightable authorship contained in the work would already be protected by the earlier registration.

But assuming that there is new artwork, as is stated on your application, could you supply more detailed identifying materials? Or point out the specific differences between the two? I just can't see any.

When replying, please cc my address at [wwkin@loc.gov](mailto:wwkin@loc.gov). You may also call me direct at 202-707-0333.

Sincerely,

Wilbur King  
Registration Specialist  
Visual Arts Division  
U.S. Copyright Office

When replying to this email, please include the following thread id (entire line) within the body of your response to expedite routing to the correct office.

[THREAD ID:1-CNUBZG]



# **EXHIBIT L**

**Diana LeBlanc**

---

**From:** Diana LeBlanc on behalf of Philip Gottfried  
**Sent:** Friday, May 11, 2012 3:18 PM  
**To:** 'cop-ad@loc.gov'  
**Subject:** Klauber Brothers, Inc.; Pattern 7087; THREAD ID:1-CNUBZG; Our File: 46628/86

THREAD ID:1-CNUBZG

Dear Mr. King:

In response to your e-mail of today relative to the above, we confirm that Pattern 7087 does not contain any artwork that is not in already-registered Pattern 7088. Nothing was added. Only some of the "generally arcuate" leaf and flower motifs of 7088 were removed in 7087.

Best regards.

Sincerely,

Philip H. Gottfried  
Amster, Rothstein & Ebenstein LLP  
90 Park Avenue  
New York, NY 10016  
(212) 336-8040 (voice, direct)  
(212) 336-8000 (voice, main)  
(212) 336-8001 (fax)  
(212) 697-5995 (voice)  
firm web site: [www.arelaw.com](http://www.arelaw.com)  
[pgottfried@arelaw.com](mailto:pgottfried@arelaw.com) (e-mail)

-----Original Message-----

**From:** Nitza Jones  
**Sent:** Friday, May 11, 2012 2:32 PM  
**To:** Philip Gottfried  
**Cc:** Diana LeBlanc  
**Subject:** FW: 1-758412372 Pattern 7087 - Matter # 46628/86

-----Original Message-----

**From:** Copyright Office [<mailto:cop-ad@loc.gov>]  
**Sent:** Friday, May 11, 2012 2:24 PM  
**To:** ptodocket  
**Cc:** [wkin@loc.gov](mailto:wkin@loc.gov)  
**Subject:** 1-758412372 Pattern 7087

Dear Philip Gottfried, Esq.:

I have compared the above work to the copy of the previously registered work that you supplied, and I can't tell the difference. It seems to be the same work, only smaller. We do not register changes in size or format of a previously



registered work. If only the size had changed, the copyrightable authorship contained in the work would already be protected by the earlier registration.

But assuming that there is new artwork, as is stated on your application, could you supply more detailed identifying materials? Or point out the specific differences between the two? I just can't see any.

When replying, please cc my address at [wkin@loc.gov](mailto:wkin@loc.gov). You may also call me direct at 202-707-0333.

Sincerely,

Wilbur King  
Registration Specialist  
Visual Arts Division  
U.S. Copyright Office

When replying to this email, please include the following thread id (entire line) within the body of your response to expedite routing to the correct office.

[THREAD ID:1-CNUBZG]

# **EXHIBIT M**





**United States Copyright Office**

Library of Congress • 101 Independence Avenue SE • Washington DC 20559-6000 • [www.copyright.gov](http://www.copyright.gov)

May 15, 2012

Amster, Rothstein & Ebenstein LLP  
Attn: Philip Gottfried, Esq.  
90 Park Avenue, 21st Floor  
New York, NY 10016  
United States

Correspondence ID: 1-COSUTO

RE: Pattern 7087

Dear Philip Gottfried, Esq.:

According to the limitation of claim statement on your application, this claim is based on new material added to preexisting elements. However, in your e-mail dated May 11, 2012, you have confirmed that there is no new artwork contained in "Pattern 7087" that was not already registered via "Pattern 7088." We therefore cannot register this claim because the new material does not contain a sufficient amount of original authorship.

To be protected by copyright, a work must contain original literary, artistic, or musical expression. If a work contains previously registered, previously published, or public domain material, the copyright in the revised version covers only the additions or changes appearing for the first time. If a work contains only minor revisions or additions, or consists only of new material not protected by copyright, registration is not possible.

Examples of material not protected by copyright include names, titles, short phrases, familiar shapes and symbols, typography, layout, format, or a mere change of size or coloring.

Because there is no basis for registration, we are closing your file without further action. The nonrefundable filing fees have been applied to administrative costs.

Wilbur King  
Registration Specialist  
Visual Arts Division  
U.S. Copyright Office

Philip Gottfried, Esq.

- 2 -

1-COSUTO

Enclosures:

Circulars 14, 31, 96 Sec. 202.1

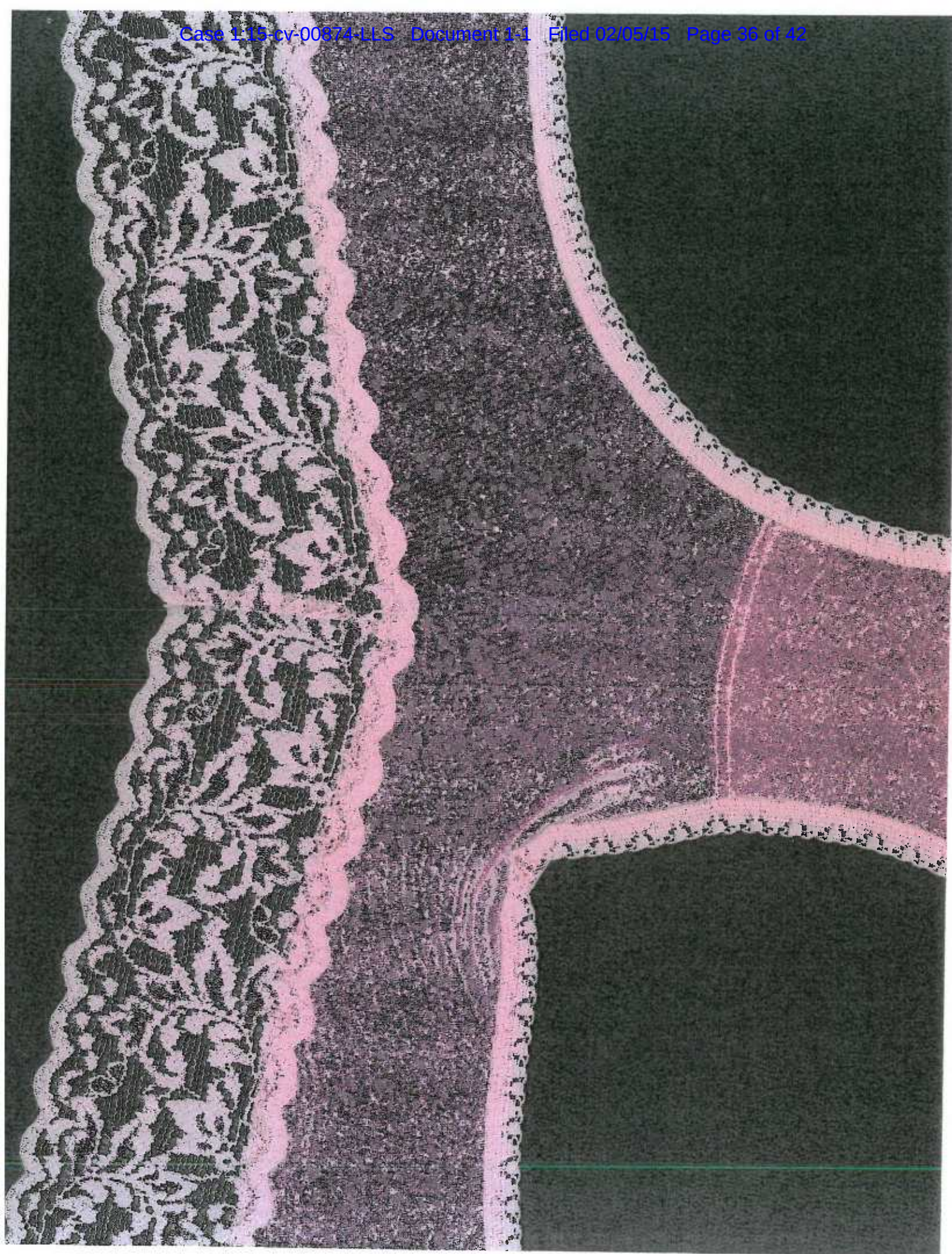
Reply Sheet

200



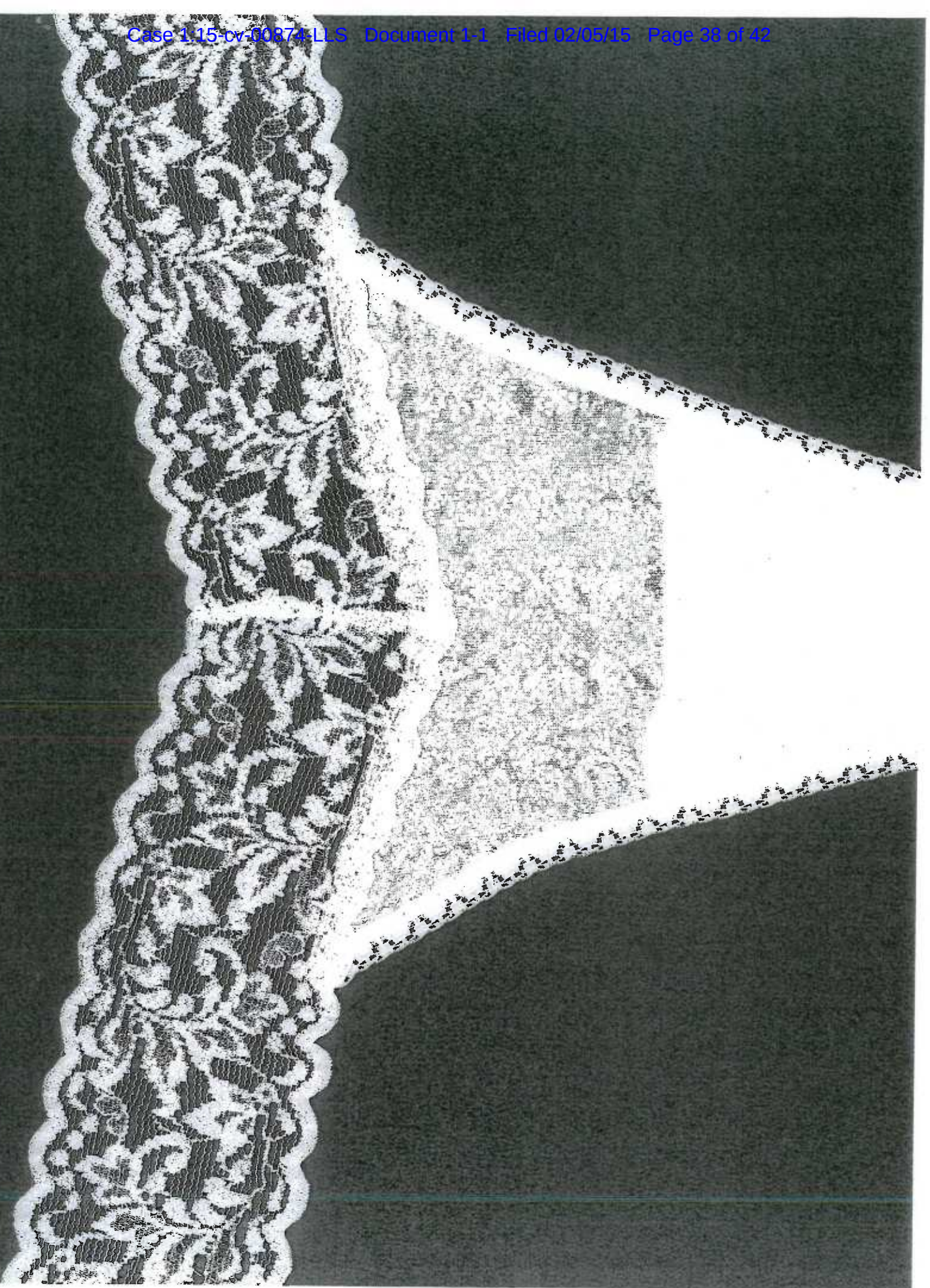
# **EXHIBIT N**





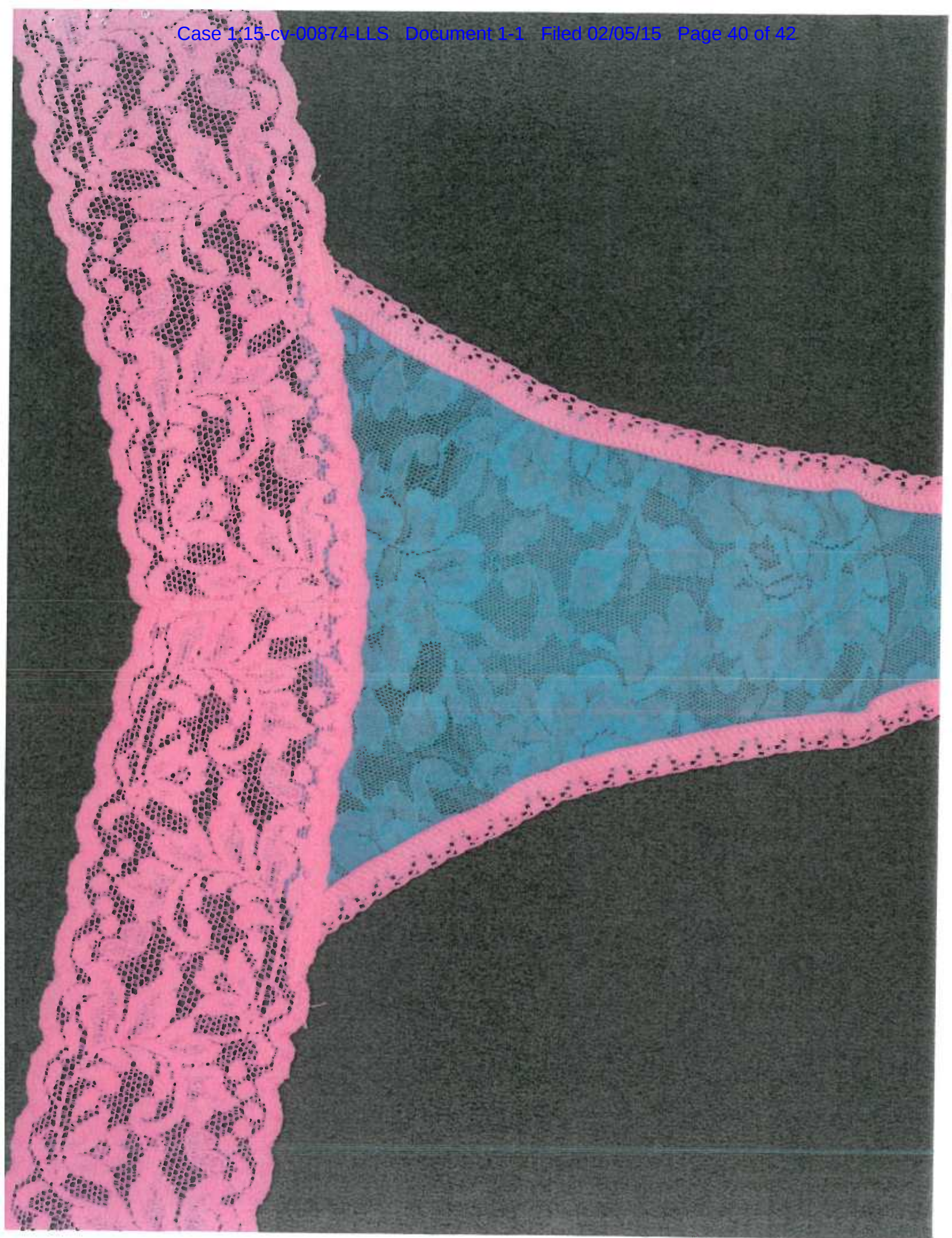


# **EXHIBIT O**





# **EXHIBIT P**





# **EXHIBIT Q**



**KLAUBER BROTHERS, INC.**

Tel. (212) 666-2531

Pattern No.	7087
Width	
Price	
Composition	